

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

ANTHONY LAITTA, VICTOR
NARANJO and KYLE NESPORY,

Defendants.

CASE NO. CR14-5449BHS

ORDER

This matter comes before the Court on Defendant Victor Naranjo's Unopposed Motion to

Continue Trial Date and Pretrial Motions Date. The Court, having considered the unopposed

motion and the Defendant's speedy trial waiver, adopts as findings the facts stated in the motion and makes the following additional findings of fact and conclusions of law:

1. Defense counsel received discovery from the government two days before the current pretrial motions deadline, which does not allow counsel adequate time to review the discovery, conduct further investigation and interview witnesses prior to preparing and filing potential pretrial motions.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
2 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
4 the defendant the reasonable time for effective preparation his defense, to explore resolution of
5 this case before trial and to ensure continuity of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

6 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
7 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

8 5. The ends of justice served by granting this continuance outweigh the best interests of
9 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

10 6. Defendant Victor Naranjo waived speedy trial through March 24, 2015; Defendant
11 Kyle Nespor joined in the motion and waived speedy trial through March 24, 2015; Defendant
12 Anthony Laitta joined in the motion and waived speedy trial through March 31, 2015.

13 NOW, THEREFORE, IT IS HEREBY ORDERED

14 That the trial date is continued from December 16, 2014, to March 24, 2015, at 9:00 a.m.;
15 Pretrial Conference is set for March 9, 2015, at 10:00 a.m.; pretrial motions are due by February
16 10, 2015. The resulting period of delay from November 6, 2014, to March 24, 2015, is hereby
17 excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

18 Dated this 20th day of November, 2014.

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21 BENJAMIN H. SETTLE
22 United States District Judge